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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, *et al.*

Plaintiffs,

v.

UNITED STATES OFFICE OF PERSONNEL
MANAGEMENT, *et al.*,

Defendants.

Case No. 3:25-cv-1780-WHA

**DEFENDANTS' STATEMENT OF
RECENT DECISIONS RELEVANT TO
APRIL 9 HEARING**

Hearing Date: April 9, 2025

Time: 8:00 am

Judge: Hon. William H. Alsup

Place: San Francisco Courthouse
Courtroom 12

1 Pursuant to Civil Local Rule 7-3(d)(2), Defendants respectfully submit this statement to
2 inform the Court of two recent decisions that may be relevant to this Court's consideration of this
3 matter at the April 9, 2025 hearing:

- 4 1. The Supreme Court granted the government's application for a stay of the preliminary
5 injunction in this case: "The March 13, 2025 preliminary injunction entered by the
6 United States District Court for the Northern District of California, case No. 3:25-cv-
7 1780, is stayed pending the disposition of the appeal in the United States Court of
8 Appeals for the Ninth Circuit and disposition of a petition for a writ of certiorari, if
9 such a writ is timely sought." *OPM, et al. v. AFGE, et al.*, No. 24A904, 2025 WL
10 1035208 (U.S. Apr. 8, 2025). The Court stated that its order does not address the
11 claims of the other plaintiffs, which did not form the basis of the District Court's
12 preliminary injunction. *See id.*
- 13 2. In *Harris v. Bessent*, consolidated with *Wilcox v. Trump*, the United States Court of
14 Appeals for the D.C. Circuit sitting en banc vacated the panel's stay of the district
15 court's injunctions and denied a stay pending appeal. *See Harris v. Bessent*, No. 25-
16 5037, 2025 WL 1021435 (D.C. Cir. Apr. 7, 2025); *see also* Order re Subject-Matter
17 Jurisdiction at 10-11 n.2, ECF No. 153.

1 Dated: April 8, 2025

Respectfully submitted,

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